



U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 SIXTH AVENUE
SEATTLE, WASHINGTON 98101

NOV 27 1987

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REPLY TO
ATTN OF: SO-125

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

R.R. Saulsman, Director
Corp. Safety, Health, and Environmental Affairs
The Boeing Company
P.O. Box 3707, M/S 64-01
Seattle, Washington 98124-2207

REC. 2 1987

Superfund Branch

Re: Queen City Farms Superfund Site

Dear Mr. Saulsman:

This notice letter is being provided by the United States Environmental Protection Agency ("EPA") pursuant to the authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 et seq. (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499. EPA has documented the release or threatened release of hazardous substances, pollutants, and contaminants at the Queen City Farms site (QCF site) near Maple Valley, Washington. By a previous letter dated July 8, 1987, EPA notified The Boeing Company that it may be one of several parties responsible for such release or threatened release, and that, with respect to the QCF site, it may be a "potentially responsible party" (PRP), within the meaning of Section 122 of CERCLA, 42 U.S.C. § 9622, as amended.

EPA, in consultation with the Washington State Department of Ecology ("Ecology"), has determined that a Remedial Investigation and Feasibility Study ("RI/FS") is necessary at the QCF site. The RI/FS will identify the nature and extent of contamination at the site, and evaluate various alternatives for responding to such contamination. Prior to commencing a government-financed RI/FS, EPA and Ecology are hereby providing a period of time for negotiation with PRPs in an effort to enter into an agreement whereby such parties would perform the RI/FS. A notice letter similar to this one is presently being sent to the Washington Department of Natural Resources, Queen City Farms, Inc., and King County.

The names and addresses of other PRPs identified by EPA with respect to the site are included as Attachment A to this letter. EPA does not presently have information available regarding the volume and nature of substances contributed by each PRP, or the ranking by volume of these substances identified at the site. Identification of additional PRPs by EPA may occur at a future date, however, any such action will not modify the deadlines established in this letter.

In accordance with CERCLA, as amended, EPA has already undertaken certain actions and incurred costs in response to conditions at the QCF site. In addition, EPA anticipates expending additional funds for response

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activities at the QCF site under the authority of CERCLA and other laws. In accordance with Section 107 of CERCLA, 42 U.S.C. § 9607, as amended, demand is hereby made for reimbursement of EPA costs plus any and all interest authorized to be recovered under that section or under any other provisions of law. Demand is also hereby made under these authorities for payment of interest on all future costs that EPA may accrue in regard to the QCF site. Payment of these amounts may be made a part of any RI/FS agreement entered in this matter.

Pursuant to Section 122(e)(2) of CERCLA, 42 U.S.C. § 9622(e)(2), as amended, EPA hereby declares a negotiation moratorium for the RI/FS activities at the QCF site. During this moratorium period, EPA hopes to negotiate an agreement with PRPs for performance of the RI/FS.

PRPs have sixty (60) days from the date of receipt of this letter to make a good faith proposal to EPA for undertaking or financing the RI/FS. A good faith proposal is one which is in writing, and which, at a minimum, contains the following elements:

(1) a statement of the willingness of the PRPs to conduct the RI/FS which is generally consistent with the EPA draft administrative order on consent or provides a sufficient basis for further negotiations;

(2) a clear and comprehensive technical proposal and detailed work plan for promptly undertaking the RI/FS;

(3) a detailed response to the EPA draft administrative order on consent;

(4) a demonstration of the technical capability of the PRPs to undertake the RI/FS, including evidence of qualified personnel retained by the PRPs to perform the work;

(5) a statement of willingness of the PRPs to reimburse EPA for all oversight costs as provided in Section 104(a) of CERCLA, 42 U.S.C. § 9604(a), as amended; and

(6) evidence of financial capability of the PRPs to perform the RI/FS.

If a good faith proposal is submitted by the PRPs within the sixty (60)-day period, EPA may continue to negotiate with these parties for an additional thirty (30)-day period. Any agreement for performance of the RI/FS must be reached by the end of the moratorium period, and must be in the form of an administrative order containing terms consistent with CERCLA, as amended.

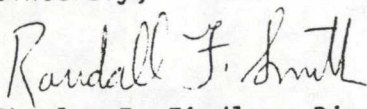
If EPA has not received a good faith proposal by the end of the sixty (60)-day period, EPA and Ecology will proceed with a government-financed RI/FS. Pursuant to Section 107 of CERCLA, 42 U.S.C. § 9607, as amended, PRPs may be liable for all monies expended by the governments to undertake response actions, including an RI/FS, at the site.

During the moratorium period, EPA may undertake response or enforcement action if EPA determines, pursuant to Section 122(e)(5) of CERCLA, 42 U.S.C. § 9622(e)(5), as amended, that a significant threat to public health or the environment exists at the site.

In an effort to expedite this matter, prior to issuing this letter, EPA provided The Boeing Company with a draft administrative order on consent for conducting a RI/FS at the site. In addition, EPA has provided substantial input regarding scopes of work for the RI/FS. EPA is certainly willing to continue this effort if there is a timely and favorable response to this letter.

If The Boeing Company is interested in submitting a good faith proposal, EPA and Ecology are available to meet with you. Such a meeting could include discussions on the scope and phasing of the RI/FS, and on elements of the administrative order on consent for performance of the RI/FS. If you have questions, or if you would like to arrange a meeting on this matter, please contact David Tetta of the EPA Superfund Program at (206) 442-2138, or Richard Mednick of the Office of Regional Counsel, at (206) 442-1797.

Sincerely,


for Charles E. Findley, Director
Hazardous Waste Division

Enclosure